

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE:

LUZ M. RIVERA RODRIGUEZ

DEBTOR

CASE NO. 19-02598- ESL

CHAPTER 13

MOTION TO AMEND SCHEDULE A/B AND C

TO THE HONORABLE COURT:

COMES NOW Debtor through the undersigned attorney and respectfully requests and prays for the following:

1. Debtor, Luz M. Rivera Rodríguez, filed a Chapter 13 petition on May 8, 2019; for which the confirmation of the plan is still pending.
2. Debtor is amending schedule A/B as requested by Chapter 13 Trustee in the Report on Confirmation and schedule C to claim the correct exemptions.
3. Enclosed are amended Schedules A/B, C and Declaration of Debtor's schedules.

WHEREFORE, Debtor prays to this Honorable Court to take notice of this motion, with any other procedure that in accordance to law this Honorable Court deems just and proper.

I CERTIFY that a copy of this motion has been electronically filed with the Clerk of the Bankruptcy Court using CM/ECF which will deliver a copy of the same to the office of José Carrión Morales, Esq., Chapter 13 Trustee and to all creditors and parties in interest as per the Master Address List.

In Caguas, Puerto Rico, this Tuesday, July 2, 2019.

GRATACÓS LAW FIRM, P.S.C.
PO BOX 7571
CAGUAS, PUERTO RICO 00726
P: (787) 746-4772 F: (787) 746-3633
E: bankruptcy@gratacoslaw.com

/s/ Víctor Gratacós Díaz (127906)

Fill in this information to identify your case and this filing:

Debtor 1 LUZ MARIA RIVERA RODRIGUEZ
First Name Middle Name Last Name
Debtor 2
(Spouse, if filing) First Name Middle Name Last Name
United States Bankruptcy Court for the: DISTRICT OF PUERTO RICO
Case number 19-02598

☒ Check if this is an amended filing

Official Form 106A/B
Schedule A/B: Property

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

☐ No. Go to Part 2.

☒ Yes. Where is the property?

1.1

**VILLA CARMEN
CALLE 15 Q 3**

Street address, if available, or other description

GURABO PR 00778-0000
City State ZIP Code

Gurabo
County

What is the property? Check all that apply

- ☒ Single-family home
☐ Duplex or multi-unit building
☐ Condominium or cooperative
☐ Manufactured or mobile home
☐ Land
☐ Investment property
☐ Timeshare
☐ Other

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property? **\$115,000.00**
Current value of the portion you own? **\$115,000.00**

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

50% OWNER

Who has an interest in the property? Check one

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this is community property (see instructions)

Other information you wish to add about this item, such as local property identification number:

RESIDENTIAL HOUSE WITH KITCHEN, LIVING AND DINING ROOM, 2 1/2 BATHROOMS, 3 BEDROOMS, EXTENDED CARPORT, TOOL SHED, PORCH // CRIM #226-004-367-03-001 // REGISTERED IN THE PUBLIC REGISTRY OF CAGUAS II, RECORDED AT PAGE 83 OF VOLUME 295, PROPERTY #10,998 GURABO.

2. Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here.....=>

\$115,000.00

Part 2: Describe Your Vehicles

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases*.

Debtor 1 **LUZ MARIA RIVERA RODRIGUEZ**

Case number (if known) **19-02598**

3. Cars, vans, trucks, tractors, sport utility vehicles, motorcycles

☐ No

☒ Yes

3.1 Make: **FORD**

Model: **FUSION SEL**

Year: **2010**

Approximate mileage: **65,000**

Other information:

COLOR: WHITE

Who has an interest in the property? Check one

☒ Debtor 1 only

☐ Debtor 2 only

☐ Debtor 1 and Debtor 2 only

☐ At least one of the debtors and another

☐ Check if this is community property
(see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

Current value of the portion you own?

\$6,000.00

\$6,000.00

4. Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories

Examples: Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories

☒ No

☐ Yes

5 Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here.....=>

\$6,000.00

Part 3: Describe Your Personal and Household Items

Do you own or have any legal or equitable interest in any of the following items?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

6. Household goods and furnishings

Examples: Major appliances, furniture, linens, china, kitchenware

☐ No

☒ Yes. Describe.....

LIVING ROOM AND DINING ROOM SET, BEDROOM SET, STOVE, REFRIGERATOR, WASHER AND DRYER, 2 WATER HEATERS, ONE FAN, 3 AIR CONDITIONERS, MICROWAVE, ONE TV. THE ABOVE ARE A COMMUNITY PROPERTIES BETWEEN DEBTOR AND EX-PARTNER. DEBTOR ONLY HAS A PARTIAL INTEREST OF 50%, WHICH IS \$1,750.00.

\$1,750.00

7. Electronics

Examples: Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games

☐ No

☒ Yes. Describe.....

IPHONE 7 PLUS

\$300.00

8. Collectibles of value

Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles

☒ No

☐ Yes. Describe.....

9. Equipment for sports and hobbies

Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments

☒ No

☐ Yes. Describe.....

Debtor 1 LUZ MARIA RIVERA RODRIGUEZ

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10. **Firearms**

Examples: Pistols, rifles, shotguns, ammunition, and related equipment

- ☒ No
☐ Yes. Describe.....

11. **Clothes**

Examples: Everyday clothes, furs, leather coats, designer wear, shoes, accessories

- ☐ No
☒ Yes. Describe.....

WEARING APPAREL

\$600.00

12. **Jewelry**

Examples: Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver

- ☐ No
☒ Yes. Describe.....

FINE AND FANTASY JEWELRY

\$100.00

13. **Non-farm animals**

Examples: Dogs, cats, birds, horses

- ☒ No
☐ Yes. Describe.....

14. **Any other personal and household items you did not already list, including any health aids you did not list**

- ☒ No
☐ Yes. Give specific information.....

15. Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write that number here

\$2,750.00

Part 4: Describe Your Financial Assets

Do you own or have any legal or equitable interest in any of the following?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

16. **Cash**

Examples: Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition

- ☐ No
☒ Yes.....

**CASH ON
HAND**

\$30.00

17. **Deposits of money**

Examples: Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.

- ☐ No
☒ Yes.....

Institution name:

17.1. **CHECKING**

FIRSTBANK // ACCOUNT X5168

\$20.00

18. **Bonds, mutual funds, or publicly traded stocks**

Examples: Bond funds, investment accounts with brokerage firms, money market accounts

- ☒ No
☐ Yes..... Institution or issuer name:

Debtor 1 LUZ MARIA RIVERA RODRIGUEZ

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19. Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture

☐ No

☒ Yes. Give specific information about them.....

Name of entity:

% of ownership:

**CHRISTMAS CLUB AT FIRSTBANK // ACCOUNT
X3804**

%

\$470.00

20. Government and corporate bonds and other negotiable and non-negotiable instruments

Negotiable instruments include personal checks, cashiers' checks, promissory notes, and money orders.

Non-negotiable instruments are those you cannot transfer to someone by signing or delivering them.

☒ No

☐ Yes. Give specific information about them

Issuer name:

21. Retirement or pension accounts

Examples: Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans

☒ No

☐ Yes. List each account separately.

Type of account:

Institution name:

22. Security deposits and prepayments

Your share of all unused deposits you have made so that you may continue service or use from a company

Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others

☒ No

☐ Yes.

Institution name or individual:

23. Annuities (A contract for a periodic payment of money to you, either for life or for a number of years)

☒ No

☐ Yes.....

Issuer name and description.

24. Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.

26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

☒ No

☐ Yes.....

Institution name and description. Separately file the records of any interests. 11 U.S.C. § 521(c):

25. Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit

☒ No

☐ Yes. Give specific information about them...

26. Patents, copyrights, trademarks, trade secrets, and other intellectual property

Examples: Internet domain names, websites, proceeds from royalties and licensing agreements

☒ No

☐ Yes. Give specific information about them...

27. Licenses, franchises, and other general intangibles

Examples: Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses

☒ No

☐ Yes. Give specific information about them...

Money or property owed to you?

**Current value of the
portion you own?
Do not deduct secured
claims or exemptions.**

28. Tax refunds owed to you

☒ No

☐ Yes. Give specific information about them, including whether you already filed the returns and the tax years.....

29. Family support

Examples: Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement

☒ No

Official Form 106A/B

Schedule A/B: Property

page 4

Debtor 1 **LUZ MARIA RIVERA RODRIGUEZ**

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☐ Yes. Give specific information.....

30. Other amounts someone owes you

Examples: Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else

☒ No

☐ Yes. Give specific information..

31. Interests in insurance policies

Examples: Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance

☒ No

☐ Yes. Name the insurance company of each policy and list its value.

Company name:

Beneficiary:

Surrender or refund
value:

32. Any interest in property that is due you from someone who has died

If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died.

☐ No

☒ Yes. Give specific information..

INHERITANCE PARTICIPATION OVER RESIDENTIAL HOUSE
LOCATED AT URB. JOSE MERCADO CALLE HARDING V114
CAGUAS, PR. THIS PROPERTY HAS AN APPROXIMATE
VALUE OF \$65,000 SINCE IT NEEDS REPAIRS AND IS TO BE
DIVIDED BETWEEN WIDOW AND 8 HEIRS ONE OF THE
HEIRS DIED BUT LEFT 4 SONS. AT THE MOMENT, THE
WIDOW, DEBTOR AND A SISTER OF DEBTOR LIVE THE
RESIDENCE AND AS SUCH THE SAME WILL NOT BE SOLD.

SINCE THE VALUE OF THE HOUSE IS \$65,000.00 LESS A
10% OF NOTARY FEES AND COSTS OF LEGAL DEED, LESS
A 10% OF CAPITAL GAIN THE AMOUNT TO BE DISTRIBUTED
BETWEEN THE WIDOW AND HEIRS WOULD BE \$5,850.00.

\$5,850.00

33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment

Examples: Accidents, employment disputes, insurance claims, or rights to sue

☒ No

☐ Yes. Describe each claim.....

34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims

☒ No

☐ Yes. Describe each claim.....

35. Any financial assets you did not already list

☒ No

☐ Yes. Give specific information..

36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached for Part 4. Write that number here.....

\$6,370.00

Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.

37. Do you own or have any legal or equitable interest in any business-related property?

☒ No. Go to Part 6.

☐ Yes. Go to line 38.

Debtor 1 LUZ MARIA RIVERA RODRIGUEZ

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Part 6: Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In.
If you own or have an interest in farmland, list it in Part 1.

46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?

- ☒ No. Go to Part 7.
☐ Yes. Go to line 47.

Part 7: Describe All Property You Own or Have an Interest in That You Did Not List Above

53. Do you have other property of any kind you did not already list?
Examples: Season tickets, country club membership

- ☒ No
☐ Yes. Give specific information.....

54. Add the dollar value of all of your entries from Part 7. Write that number here

\$0.00

Part 8: List the Totals of Each Part of this Form

55. Part 1: Total real estate, line 2		<u>\$115,000.00</u>
56. Part 2: Total vehicles, line 5	<u>\$6,000.00</u>	
57. Part 3: Total personal and household items, line 15	<u>\$2,750.00</u>	
58. Part 4: Total financial assets, line 36	<u>\$6,370.00</u>	
59. Part 5: Total business-related property, line 45	<u>\$0.00</u>	
60. Part 6: Total farm- and fishing-related property, line 52	<u>\$0.00</u>	
61. Part 7: Total other property not listed, line 54	<u>\$0.00</u>	
	+	
62. Total personal property. Add lines 56 through 61...	<u>\$15,120.00</u>	Copy personal property total <u>\$15,120.00</u>
63. Total of all property on Schedule A/B. Add line 55 + line 62		<u>\$130,120.00</u>

Fill in this information to identify your case:			
Debtor 1	LUZ MARIA RIVERA RODRIGUEZ		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse if, filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	DISTRICT OF PUERTO RICO		
Case number (if known)	19-02598		

☒ Check if this is an amended filing

Official Form 106C

Schedule C: The Property You Claim as Exempt

4/19

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions—such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds—may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.

Part 1: Identify the Property You Claim as Exempt

1. Which set of exemptions are you claiming? Check one only, even if your spouse is filing with you.

☐ You are claiming state and federal nonbankruptcy exemptions. 11 U.S.C. § 522(b)(3)

☒ You are claiming federal exemptions. 11 U.S.C. § 522(b)(2)

2. For any property you list on *Schedule A/B* that you claim as exempt, fill in the information below.

Brief description of the property and line on <i>Schedule A/B</i> that lists this property	Current value of the portion you own <small>Copy the value from <i>Schedule A/B</i></small>	Amount of the exemption you claim <small>Check only one box for each exemption.</small>	Specific laws that allow exemption
2010 FORD FUSION SEL Line from <i>Schedule A/B</i> : 3.1	\$6,000.00	<input checked="" type="checkbox"/> \$1,419.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(2)
LIVING ROOM AND DINING ROOM SET, BEDROOM SET, STOVE, REFRIGERATOR, WASHER AND DRYER, 2 WATER HEATERS, ONE FAN, 3 AIR CONDITIONERS, MICROWAVE, ONE TV. THE ABOVE ARE A COMMUNITY PROPERTIES BETWEEN DEBTOR AND EX-PARTNER. DEBTOR ONLY HAS A PARTIAL INTEREST O Line from <i>Schedule A/B</i> : 6.1	\$1,750.00	<input checked="" type="checkbox"/> \$1,750.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(3)
IPHONE 7 PLUS Line from <i>Schedule A/B</i> : 7.1	\$300.00	<input checked="" type="checkbox"/> \$300.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(3)
WEARING APPAREL Line from <i>Schedule A/B</i> : 11.1	\$600.00	<input checked="" type="checkbox"/> \$600.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(3)

Debtor 1 LUZ MARIA RIVERA RODRIGUEZ		Case number (if known) 19-02598	
Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own <small>Copy the value from Schedule A/B</small>	Amount of the exemption you claim <small>Check only one box for each exemption.</small>	Specific laws that allow exemption
FINE AND FANTASY JEWELRY Line from Schedule A/B: 12.1	\$100.00	<input checked="" type="checkbox"/> \$100.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(4)
CASH ON HAND Line from Schedule A/B: 16.1	\$30.00	<input checked="" type="checkbox"/> \$30.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(5)
CHECKING: FIRSTBANK // ACCOUNT X5168 Line from Schedule A/B: 17.1	\$20.00	<input checked="" type="checkbox"/> \$20.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(5)
CHRISTMAS CLUB AT FIRSTBANK // ACCOUNT X3804 Line from Schedule A/B: 19.1	\$470.00	<input checked="" type="checkbox"/> \$470.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(5)
INHERITANCE PARTICIPATION OVER RESIDENTIAL HOUSE LOCATED AT URB. JOSE MERCADO CALLE HARDING V114 CAGUAS, PR. THIS PROPERTY HAS AN APPROXIMATE VALUE OF \$65,000 SINCE IT NEEDS REPAIRS AND IS TO BE DIVIDED BETWEEN WIDOW AND 8 HEIRS ONE OF THE HEIRS DIED BUT L Line from Schedule A/B: 32.1	\$5,850.00	<input checked="" type="checkbox"/> \$5,850.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(5)

3. Are you claiming a homestead exemption of more than \$170,350?
(Subject to adjustment on 4/01/22 and every 3 years after that for cases filed on or after the date of adjustment.)
- ☒ No
- ☐ Yes. Did you acquire the property covered by the exemption within 1,215 days before you filed this case?
- ☐ No
- ☐ Yes

Fill in this information to identify your case:

Debtor 1	<u>LUZ MARIA RIVERA RODRIGUEZ</u>		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse If, filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	<u>DISTRICT OF PUERTO RICO</u>		
Case number (if known)	<u>19-02598</u>		

☐ Check if this is an amended filing

Official Form 106Dec

Declaration About an Individual Debtor's Schedules

12/15

If two married people are filing together, both are equally responsible for supplying correct information.

You must file this form whenever you file bankruptcy schedules or amended schedules. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Sign Below

Did you pay or agree to pay someone who is NOT an attorney to help you fill out bankruptcy forms?

☒ No

☐ Yes. Name of person _____

Attach Bankruptcy Petition Preparer's Notice, Declaration, and Signature (Official Form 119)

Under penalty of perjury, I declare that I have read the summary and schedules filed with this declaration and that they are true and correct.

X /s/ LUZ MARIA RIVERA RODRIGUEZ
LUZ MARIA RIVERA RODRIGUEZ
Signature of Debtor 1

Date July 2, 2019

X _____
Signature of Debtor 2

Date _____